

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE EIGHTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE J.CHELAMESWAR

WRIT PETITION NO : 14123 of 1994

Between:

Ponnana Yerram Naidu S/o. Rajappadu, Arasavilli Primary Agrl.Co-op. Society
Arasavilli, Srikakulam District.

..... PETITIONER

AND

1. The Commissioner/Registrar of Co.op Societies A.P., Gruhakalpa Buildings, Mukaramjahi Road, Hyderabad.
2. The District Collector (Co-operation) Srikakulam,. Srikakulam District.
3. The District Co-op Officer Gujaratipeta, Srikakulam.
4. The Dy. Registrar of Co-operative Societies Gujarathipeta, Srikakulam.
5. Arasavilli Primary Agrl. Co-op Society rep. by its Secretary, Arasavilli, Srikakulam Dist.
6. S.L.N. Patrudu, Arasavilli Primary Agrl. Co-op. Society Arasavilli, Srikakulam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order , or direction, more particularly one in the nature of Writ of Mandamus declaring that the appointment of the 2nd Secretary to the 5th respondent and also transfer of the 6th respondent under the guise of deputation to the 5th respondent society against his allotment to Gurandi PACS on the order dt. 5-7-94 of the 3rd respondent in his Rc.NO.3585/94-H is arbitrary, capricious and illegal opposed to the law and of the natural justice and consequently directing the respondents to treat the petitioner only as the sole secretary cum Executive Officer for the 5th respondent and none else and to relieve the 6th respondent from that society in the ends of justice.

Counsel for the Petitioner:MR.D.RAMALINGA SWAMY

Counsel for the RespondentS No.1 TO 4: GP FOR COOPERATION

The Court made the following :

THE HON'BLE SRI JUSTICE J.CHELAMESWAR

W.P.NO.14123 OF 1994

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ORAL ORDER:

Writ petition is filed with the prayer as follows:

“To issue a writ, order, or direction more particularly one in the nature of Writ of Mandamus declaring that the appointment of the 2nd Secretary to the 5th respondent and also transfer of the 6th respondent under the guise of deputation to the 5th respondent society against his allotment to Gurandi PACS on the order dt.5.7.1994 of the 3rd respondent in his Rc.NO.3585/94-H is arbitrary, capricious and illegal, opposed to the law and of the natural justice and consequently directing the respondents to treat the petition only as the sole Secretary cum Executive Officer for the 5th respondent and none else and to relieve the 6th respondent from that society in the ends of justice.”

In substance, the petitioner challenges the order by which he was transferred from the 5th respondent society where he was working as Paid-Secretary. The impugned order is dated 5.7.1994. The writ petition was filed on 2.8.1994. It is brought to my notice that there was no interim order in favour of the petitioner.

In the circumstances, I do not see any useful purpose in going into the merits of the case a decade later, apart from the fact that nothing is brought to my notice by the learned counsel for the petitioner as to what is the right of the petitioner to seek the remedy such as the one sought in the present writ petition. Therefore, I do not see any merits in the writ petition as the same is dismissed.

08.07.2004

knk

To

1. The Commissioner/Registrar of Co.op Societies A.P., Gruhakalpa Buildings, Mukaramjahi Road, Hyderabad.
2. The District Collector (Co-operation) Srikakulam,. Srikakulam District.
3. The District Co-op Officer Gujaratipeta, Srikakulam.
4. The Dy. Registrar of Co-operative Societies Gujarathipeta, Srikakulam.
5. The Secretary, Arasavilli Primary Agrl. Co-op Society, Arasavilli, Srikakulam Dist.
6. S.L.N. Patrudu, Arasavilli Primary Agrl. Co-op. Society Arasavilli, Srikakulam District.
7. Two CCs to the G.P. for Cooperation, High Court of A.P., Hyderabad (OUT).
8. Two CD copies.

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